

III. Remarks

Reconsideration and allowance of the subject application are respectively requested.

Claims 1-65 are pending in the present application. Claims 1, 2, 6, 10, 11, 12 and 65 are independent.

Certain of the claims have been amended for clarity with respect to the specification, and not in response to any requirement for patentability.

The specification has been amended to incorporate material from U.S. Patent Application No. 60/221,512, which had been incorporated by reference into the subject application. No new matter has been added.

The Examiner rejected Claims 1-65 under 35 U.S.C. §112 (first paragraph), for the reasons set forth at page 2 of the Office Action. This rejection is traversed. Reconsideration is requested in light of the following remarks.

To substantiate the rejection, the Examiner made the following statement concerning Claims 1-65:

“ ... the specification, while being enabling for the dendritic macromolecules particularly defined in the referenced copending U.S. patent application S.N. 60/221,512, does not reasonably provide enablement for all dendritic macromolecules”.

In reply, Applicants submit that, contrary to the Examiner's assertion, in Claims 1-65, **all dendritic macromolecules are not claimed**. Each of independent Claims 1, 12, and 65 recites only those dendritic macromolecules, “wherein a mixture comprising at least about 15% by weight of the dendritic macromolecule and a polyether polyol having an OH number less than about 40 mg KOH/g forms a stable liquid at 23°C.”

Independent Claims 2 and 6 recite no dendritic macromolecules whatsoever.

Independent Claim 10 recites only those dendritic macromolecules which will produce a “foamed isocyanate-based polymer having an Indentation Force Deflection loss when measured pursuant to ASTM D3574 which is less than that of a reference foam produced by substituting a copolymer polyol for the dendritic macromolecule in the reaction mixture, the foamed isocyanate-based polymer and the reference foam having substantially the same density and Indentation Force Deflection when measured pursuant to ASTM D3574.”

Independent Claim 11 recites only those dendritic macromolecules which will produce a “foamed isocyanate-based polymer having thickness loss when measured pursuant to ASTM D3574 which is less than that of a reference foam produced by substituting a copolymer polyol for the dendritic macromolecule in the reaction mixture, the foamed isocyanate-based polymer and the reference foam having substantially the same density and Indentation Force Deflection when measured pursuant to ASTM D3574.”

Applicants respectfully submit that the subject specification is fully enabling as to that group of dendritic macromolecules actually recited in the claims. Additionally, Applicants respectfully request the Examiner to fully explain, on the record, his reasons for rejecting Claims 2 and 6 in the foregoing rejection.

The Examiner rejected Claims 1-65 under 35 U.S.C. §103(a) as being purportedly unpatentable over United States patent 6,316,514 [Falke, et al. (Falke)] in view of United States patent 6,114,458 [Hawker, et al. (Hawker)]. This rejection is traversed. Reconsideration is requested in light of the following remarks.

The Examiner states that this rejection also is based upon his understanding that the claims encompass all dendritic macromolecules. Applicants again assert that **all dendritic**

macromolecules are not claimed, only those actually recited in the claims, as outlined above.

Accordingly, for these reasons and the reasons set forth in Applicants' February 14, 2005

Response, Applicants respectfully submit that the claims are fully patentable over the cited art.

In view of the above, it is believed that the present application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Richard P. Bauer/
Attorney for Applicants
Richard P. Bauer
Registration No. 31,588

Patent Administrator
KATTEN MUCHIN ROSENMAN LLP
525 West Monroe Street
Suite 1600
Chicago, Illinois 60661-3693
Facsimile: (312) 902-1061